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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,491	12/27/2001	James D. Linder	014208.1484	1247
46629	7590	07/14/2006	EXAMINER	
BAKER BOTTS, LLP 2001 ROSS AVENUE, 6TH FLOOR DALLAS, TX 75201			PITARO, RYAN F	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,491

Applicant(s)

LINDER, JAMES D.

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16,18-24 have been examined.

Response to Amendment

2. This communication is in response to Amendment C, filed on 4/20/2006. This action is made Final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3,7,9,12,14,18,20,24 are rejected under 35 U.S.C. 102(b) as being anticipated by Badders et al ("Badders", 5,625,798).

As per independent claim 1, Badders discloses a data processing system, comprising: a user interface operable to display information to a user and to receive commands from a user accessing a digital model data set (Column 6 lines 28-31); a digital model data set comprising data associated with the form of mechanical structures (Column 3 lines 32-37); and a business process attribute data set linked to the digital model data set such that various elements within the digital model data set are linked to business process attributes within the business process attribute data set such that users of the data processing system are displayed business process attribute display

elements when a display element associated with a mechanical component defined by the digital model data set is displayed to the user (Column 3 lines 32-37, Column 6 lines 28-47); and wherein the business process attribute comprises one of: quality information defining a quality level parameter associated with a component represented in the digital model data set; safety information defining a safety level parameter associated with a component represented in the digital model data set (Column 2 lines 37-48); revision information defining a revision parameter associated with a component represented in the digital model data set; and an information related to a component associated with data within the digital model data set .

Claim 3 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

As per claim 7, which is dependent on claim 1, Badders discloses a system further comprising a knowledge base data set engine coupled to and operable to access various knowledge base data sets, the knowledge base data set engine operable to inferentially apply business process attributes to features within the digital model data set responsive to information linked to such features within the knowledge base data sets accessible to the knowledge base data set engine (Column 3 lines 45-67).

As per claim 9, which is dependent on claim 7, Badders discloses a system wherein the knowledge base data set engine is operable to automatically inferentially apply a safety information business process attribute to a feature included within the digital model data set (Column 6 lines 28-31, Column 2 lines 37-48).

Claims 12,18 are similar in scope to that of claim 7, and are therefore rejected under similar rationale.

Claims 14,20 are individually similar in scope to that of claim 3, and are therefore rejected under similar rationale.

As per claim 24, which is dependent on claim 1, Badders teaches a system wherein the business process attribute comprises safety information defining a safety level parameter associated with a component represented in the digital model data set (Column 2 lines 37-48).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,4,8,10,13,15,19,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badders et al ("Badders", US 5,625,798) in view of Thackston ("Thackston", US 6,295,513).

As per claim 2, which is dependent on claim 1, Badders fails to teach defining a quality level attribute. However, Thackston discloses a system wherein the business process attribute comprises quality information defining a quality level parameter associated with a component represented in the digital model data set (Column 16 lines 34-51). Therefore it would have been obvious to an artisan at the time of the invention to combine the quality attribute of Thackston with the system of Badders. Motivation to do so would have been to reduce the costly and cumbersome efforts of engineering design, by resolving design issues that occur when collaborating on a project.

As per claim 4, which is dependent on claim 1, Badders-Thackston teaches a system wherein the business process attribute comprises revision information defining a revision parameter associated with a component represented in the digital model data set (Thackston, Column 15 lines 28-45).

As per claim 8, which is dependent on claim 7, Badders-Thackston discloses a system wherein the knowledge base data set engine is operable to automatically inferentially apply a quality information business process attribute to a feature included within the digital model data set. (Thackston, Column 16 lines 34-51, Badders Column 6 lines 28-31).

As per claim 10, which is dependent on claim 7, Badders-Thackston teaches a system wherein the business process attribute comprises revision information defining a revision parameter associated with a component represented in the digital model data set (Thackston, Column 15 lines 28-45, Badders Column 6 lines 28-31).

Claims 13,19 are individually similar in scope to that of claim 2, and are therefore rejected under similar rationale.

Claims 15,21 are individually similar in scope to that of claim 4, and are therefore rejected under similar rationale.

5. Claims 5,6,11,16,22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badders et al ("Badders", US 5,625,798) and Thackston ("Thackston", US 6,295,513) in view of McCloskey et al ("McCloskey", US 2002/0026385).

As per claim 5, which is dependent on claim 1, Badders-Thackston fails to distinctly point out a network address associated with information related to a component. However, McCloskey teaches a system wherein the business process attribute comprises an information address attribute comprising a network address associated with information related to a component associated with data within the digital model data set ([0038] lines 1-3; or part data pertaining to a particular part depicted in that CAD drawing). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Badders-Thackston with the teaching of McCloskey. Motivation to combine would have been to provide an active drawing so that information about the component or object can be accessed quickly.

As per claim 6, which is dependent on claim 5, Badders-Thackston-McCloskey discloses a system wherein the information address attribute comprises a hypertext link address that when displayed to a user of the system and activated by the user of a

system will result in the activation of a browser program which is operable to retrieve information stored at the information attribute hypertext link address (McCloskey, [0038] lines 1-3; or part data pertaining to a particular part depicted in that CAD drawing).

As per claim 11, which is dependent on claim 7, Badders-Thackston-McCloskey discloses a system wherein the knowledge base data set engine is operable to automatically inferentially apply an information address link attribute to a feature included within the digital model data set (McCloskey, [0038] lines 1-3; or part data pertaining to a particular part depicted in that CAD drawing).

Claims 16,22 are individually similar in scope to that of claim 5, and are therefore rejected under similar rationale.

Claim 23 is individually similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 4/20/2006 have been fully considered but they are not persuasive.

The Applicant argues that Badders does not teach or suggest an attribute set linked to the data set when a display element associated with a mechanical component defined by the digital model data set is displayed to the user. However, Badders does in fact teach this as originally pointed out.

The present invention allows attribute data relating to components of a CAD system drawing to be automatically extracted and provided to a user in an easy and efficient manner. **The CAD designed system and attribute extraction may be combined to provide a user with information not readily available to a user of a typical CAD drawing system.** For example, if a first company has designed the system and a second company wishes to purchase the individual components of the system and build the system or wishes to determine how a particular system which has previously been installed in the plant of that company works, the present invention performs conjunction with the CAD software using database software so that a user may easily identify exactly

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what is contributing to the plant process. **By appending the graphical attribute information into a corresponding database file and automatically providing the additional extracted attribute information to a user, the automated attachment, filing storing and retrieving of data vital to particular components of a CAD drawing is at a user's fingertips.** In this manner, there is no need for guesswork or time consuming research by a user to determine attributes of components included in a CAD system drawing (emphasis added).

In other words, when a display element is displayed to the user attribute data relating to the CAD drawing is also displayed.

The Applicant argues that Badders does not teach or suggest safety information defining safety level parameters. However, the Examiner respectfully disagrees. Badders specifically points out drawing considerations such as OSHA requirements, federal safety regulations.

The Applicant argues that Badders fails to automatically apply attributes to the data model sets. However, the Examiner further points out a previously relied upon citation for clarification purposes (Column 6 lines 41-49).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday -Thursday, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RFP

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